

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: EDWARD L. RAPP, ET AL.

Application No.: 10/615,249

For: TASTING ENERGY BAR

Filed: July 8, 2003

Group Art Unit: 1761

Examiner: Helen F. Pratt

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 10, 2007, of the Primary Examiner rejecting Claims 1-4, 6-8 and 10-24. In accordance with MPEP § 1207.04, this is an appeal after the reopening of prosecution after Appeal Brief.

The item(s) checked below are appropriate.

1. A Petition for a ____ month extension of time to respond to the final rejection, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.
2. A Petition for a ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, is submitted with a Request For Reconsideration filed on ____.
3. Fee \$10.00 (fee increase in accordance with MPEP § 1207.04)
 Fee \$250.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
 Enclosed
 Not required (fee paid in prior appeal)

Charge to Deposit Account No. 06-1205

4. Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Raymond R. Mandra

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